

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

EHOSTAR SATELLITE LLC, a Colorado
corporation; EHOSTAR TECHNOLOGIES
CORPORATION, a Texas corporation, and
NAGRASTAR LLC, a Colorado corporation,

Plaintiffs,

v.
FINISAR CORPORATION, a Delaware
corporation,

Defendant.

C.A. No. 06-425-JJF

**MOTION TO STAY PROCEEDINGS PENDING
REEXAMINATION OF U.S. PATENT NO. 5,404,505**

For the reasons set forth in the Opening Brief filed herewith, Plaintiffs EchoStar Satellite LLC, EchoStar Technologies Corporation, and NagraStar LLC hereby move the Court for an Order staying all proceedings in this case pending the result of the *ex parte* reexamination of United States Patent No. 5,404,505 by the United States Patent and Trademark Office.

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Dated: November 8, 2007

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CERTIFICATE OF SERVICE

I, Andrew A. Lundgren, Esquire, hereby certify that on November 8, 2007, I caused to be electronically filed a true and correct copy of the foregoing document with the Clerk of the Court using CM/ECF, which will send notification that such filing is available for viewing and downloading to the following counsel of record:

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I further certify that on November 8, 2007, I caused a copy of the foregoing document to be served by hand delivery on the above-listed counsel of record and on the following non-registered participants in the manner indicated:

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NOTICE OF MOTION

PLEASE TAKE NOTICE that the undersigned counsel will present Plaintiffs' Motion to Stay Proceedings Pending Reexamination of U.S. Patent No. 5,404,505, on Friday, December 7, 2007, at 10:00 a.m., or at the earliest time convenient to the Court.

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LOCAL RULE 7.1.1 CERTIFICATION

I, Andrew A. Lundgren, Esquire, hereby certify pursuant to Local Rule 7.1.1 that counsel for Plaintiffs EchoStar Satellite LLC, EchoStar Technologies Corporation, and NagraStar LLC have made a reasonable effort to reach agreement with Defendant Finisar Corporation's counsel on the matters set forth in the foregoing motion.

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**ORDER GRANTING PLAINTIFFS' MOTION TO
STAY PROCEEDINGS PENDING REEXAMINATION OF U.S. PATENT NO. 5,404,505**

IT IS HEREBY ORDERED this ____ day of _____, 2007, upon review of Plaintiffs' Motion to Stay Proceedings Pending Reexamination of U.S. Patent No. 5,404,505 and their supporting papers and arguments, finding Plaintiffs' arguments well taken, that this action will proceed as follows:

Effective Immediately: This action is stayed, all deadlines imposed by any order of this Court, the Federal Rules of Civil Procedure, and/or the Local Rules are vacated; and

Within Ten (10) Business Days after the Final Completion of All Reexaminations of U.S. Patent No. 5,404,505 by the U.S. Patent and Trademark Office (including all appeals and subsequent proceedings before the U.S. Patent and Trademark Office): The Parties shall jointly notify this Court in writing of the completion of the reexamination proceeding and counsel for both parties shall contact chambers to schedule a status conference to be held in this case.

United States District Judge